

# **Exhibit A**



## Academic Libraries: 2008 First Look

NCES 2010-348  
December 2009

### Introduction

This report presents tabulations for the 2008 Academic Libraries Survey (ALS) conducted by the United States Department of Education's National Center for Education Statistics (NCES), within the Institute of Education Sciences. An academic library is defined as an entity in a postsecondary institution that provides all of the following: an organized collection of printed or other materials, or a combination thereof; a staff trained to provide and interpret such materials as required to meet the informational, cultural, recreational, or educational needs of the clientele; an established schedule in which services of the staff are available to the clientele; and the physical facilities necessary to support such a collection, staff, and schedule. This definition includes libraries that are part of learning resource centers. Branch and independent libraries are defined as auxiliary library service outlets with quarters separate from the central library that houses the basic collection. The central library administers the branches. In ALS, libraries on branch campuses that have separate NCES identification numbers are reported as separate libraries.

When academic libraries are referred to in this report, they will always be entities that are informational resources within degree-granting postsecondary institutions in the United States, including institutions that are eligible for Title IV aid and branch campuses of Title IV-eligible institutions.

NCES has conducted the Academic Libraries Survey since 1966 at various intervals. Beginning with the 1988 survey though, the Academic Libraries Survey has been conducted on a 2-year cycle. The survey focuses on library services, collections, library staff, expenditures, electronic services, and information literacy.

Only selected findings are presented because the purpose of this report is to introduce new data through the presentation of tables containing descriptive information. These findings have been chosen to demonstrate the range of information available when using the ALS rather than to discuss all of the observed differences, and they are not meant to emphasize any particular issue.

Three appendixes follow this report. Appendix A contains technical notes, survey methodology, methodological tables. Appendix B contains the glossary. Appendix C contains the survey questionnaire and instructions.



## Academic Libraries: 2008 First Look

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Table A-3. Total number of academic libraries, by level, control of institution, and state: 2008

State	Total postsecondary degree-granting institutions	4-year institutions			Less than 4-year		
		Total 4-year institutions	Highest level of degree		Public	Private	
Doctor's	Master's	Bachelor's					
United States	3,827	2,393	721	911	730	1,434	1,576 2,251
Alabama	66	39	11	13	15	27	39 27
Alaska	6	4	1	2	1	2	5 1
Arizona	57	29	7	7	14	28	24 33
Arkansas	46	22	6	7	9	24	33 13
California	359	202	72	73	52	157	147 212
Colorado	67	38	12	10	16	29	26 41
Connecticut	45	29	11	9	8	16	22 23
Delaware	9	6	4	2	0	3	5 4
District of Columbia	15	15	7	6	1	0	2 13
Florida	161	109	21	41	46	52	39 122
Georgia	117	65	17	27	20	52	67 50
Hawaii	19	12	4	4	4	7	9 10
Idaho	13	9	3	2	4	4	7 6
Illinois	164	105	41	31	33	59	60 104
Indiana	81	62	14	27	21	19	28 53
Iowa	63	46	8	17	21	17	19 44
Kansas	58	30	5	12	13	28	32 26
Kentucky	68	40	8	16	16	28	24 44
Louisiana	51	29	11	10	7	22	26 25
Maine	29	19	4	6	9	10	15 14
Maryland	55	36	15	18	3	19	30 25
Massachusetts	116	93	31	40	19	23	31 85
Michigan	97	65	19	22	22	32	44 53
Minnesota	98	64	16	20	26	34	42 56
Mississippi	40	20	6	9	5	20	26 14
Missouri	108	75	23	23	29	33	33 75
Montana	21	10	2	5	3	11	16 5
Nebraska	40	28	5	14	9	12	15 25
Nevada	17	11	2	2	7	6	7 10
New Hampshire	26	18	5	6	7	8	11 15
New Jersey	55	35	15	15	5	20	32 23
New Mexico	39	19	3	9	7	20	28 11
New York	285	205	69	89	44	80	80 205

North Carolina	127	64	16	22	26	63	75	52
North Dakota	20	12	3	2	7	8	14	6
Ohio	171	93	24	44	22	78	50	121
Oklahoma	52	35	7	17	11	17	29	23
Oregon	54	34	9	16	9	20	25	29
Pennsylvania	194	121	48	49	24	73	37	157
Rhode Island	14	12	5	4	2	2	3	11
South Carolina	65	40	6	18	15	25	33	32
South Dakota	23	17	5	10	2	6	12	11
Tennessee	94	65	18	21	25	29	22	72
Texas	202	104	51	27	25	98	104	98
Utah	25	16	3	6	7	9	9	16
Vermont	20	19	2	13	4	1	5	15
Virginia	99	63	20	17	24	36	39	60
Washington	68	39	10	16	13	29	41	27
West Virginia	32	23	3	12	7	9	15	17
Wisconsin	67	46	12	23	11	21	31	36
Wyoming	9	1	1	0	0	8	8	1

SOURCE: U.S. Department of Education, National Center for Education Statistics, Academic Libraries Survey, 2008.

# **Exhibit B**

**U.S. DISTRICT COURT - JUDICIAL CASELOAD PROFILE**

		12-MONTH PERIOD ENDING SEPTEMBER 30							
CALIFORNIA NORTHERN		2009	2008	2007	2006	2005	2004	Numerical Standing	
OVERALL CASELOAD STATISTICS	Filings*	7,576	7,295	7,970	8,683	6,362	6,727	U.S.	Circuit
	Terminations	7,403	7,402	6,777	6,983	6,966	6,471		
	Pending	8,579	8,882	9,005	8,157	6,557	7,267		
	% Change in Total Filings	Over Last Year	3.9					44	11
ACTIONS PER JUDGESHIP	FILINGS	Over Earlier Years		-5.0	-12.8	19.1	12.6	13	5
		Number of Judgeships	14	14	14	14	14		
		Vacant Judgeship Months**	22.0	5.9	.0	.0	.0		
		Total	541	521	569	620	455	480	19
	CIVIL	Civil	433	441	505	558	390	413	15
		Criminal Felony	64	42	33	37	39	44	49
		Supervised Release Hearings**	44	38	31	25	26	23	18
		Pending Cases	613	634	643	583	468	519	10
MEDIAN TIMES (months)	From Filing to Disposition	Weighted Filings**	607	592	624	621	543	581	9
		Terminations	529	529	484	499	498	462	20
	From Filing to Trial** (Civil Only)	Trials Completed	6	6	8	8	10	10	93
		Criminal Felony	6.9	11.2	12.4	11.2	12.6	11.1	17
OTHER	Civil Cases Over 3 Years Old**	Civil**	9.4	7.7	6.7	7.4	9.8	8.2	57
		Avg. Present for Jury Selection	24.5	30.0	24.9	25.0	28.0	22.5	36
	JURORS	Average Number of Felony Defendants Filed Per Case	1.2	1.3	1.2	1.5	1.5	1.4	
		Jurors	77.51	64.09	53.81	59.09	55.21	61.19	
		Percent Not Selected or Challenged	48.5	42.1	41.9	43.2	31.0	48.9	

**2009 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE**

Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	6059	101	290	1526	99	214	612	582	349	448	753	92	993
Criminal*	888	9	154	357	103	104	30	25	9	19	31	28	19

\* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

\*\* See "[Explanation of Selected Terms](#)."

**2008 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE**

Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	6175	97	326	1877	92	75	564	557	246	479	710	162	990
Criminal*	575	3	83	221	75	83	19	39	4	10	13	5	20

\* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

\*\* See "Explanation of Selected Terms."

<b>2007 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE</b>													
Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	7074	122	975	1610	94	44	534	527	243	533	732	422	1238
Criminal*	455	6	72	162	40	64	11	38	5	6	16	15	20

**2006 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE**

Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	7812	128	2118	1540	105	23	487	577	481	464	745	105	1039
Criminal*	507	16	58	134	70	89	18	28	8	9	15	27	35

<b>2005 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE</b>													
Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	5465	147	171	1546	97	27	531	569	333	467	807	89	681
Criminal*	523	2	82	121	88	89	22	29	7	16	15	31	21

or Challenged

**2004 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE**

Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	5785	194	86	1517	84	92	525	551	423	436	961	48	868
Criminal*	608	156	5	81	6	28	99	**	19	112	5	25	72

## EXPLANATION OF SELECTED TERMS

### **VACANT JUDGESHIP MONTHS**

Vacant judgeship months are the total number of months that vacancies occurred in any judgeship position in a circuit or district. On September 30, 2008, a total of 23 vacancies existed in the district courts, and 11 vacancies existed in the U.S. courts of appeals (excluding the Federal Circuit).

### **VISITING JUDGE ACTIVITY**

Court profiles for both the courts of appeals and district courts reflect only caseloads for judges within the circuit/district; the profiles do not address judges' activity when visiting other circuits/districts. Detailed data on visiting judges can be found in Tables V-1 and V-2 of *Judicial Business of the United States Courts*.

### **SUPERVISED RELEASE HEARINGS**

Beginning with *2002 Federal Court Management Statistics*, data on hearings on violations of supervised release and probation are included in the district court profiles. These hearings, which are conducted when defendants violate the terms of supervised release or probation, can result in the modification of conditions or the revocation of supervision. In addition to providing data for the category of supervised release hearings filed per authorized judgeship, data on these hearings are included in the totals for overall filings and terminations, filings and terminations per authorized judgeship, and weighted filings per authorized judgeship. These changes to the district court profiles were approved by the Judicial Conference Subcommittee on Judicial Statistics.

### **WEIGHTED FILINGS**

Weighted filings statistics account for the different amounts of time district judges require to resolve various types of civil and criminal actions. The federal Judiciary has employed techniques for assigning weights to cases since 1946. In 2004, the Judicial Resources Committee of the Judicial Conference of the United States approved a civil and criminal case weighting system proposed by the Federal Judicial Center. On a national basis, weighted filings did not change significantly after the implementation of the new case weights. More than two-thirds of all district courts saw their weighted filings change by 10 percent or less. Average civil cases or criminal defendants each receive a weight of approximately 1.0; for more time-consuming cases, higher weights are assessed (e.g., a death-penalty habeas corpus case is assigned a weight of 12.89); and cases demanding relatively little time from judges receive lower weights (e.g., a defaulted student loan case is assigned a weight of 0.031). Probation revocation hearings (both evidentiary and non-evidentiary) are included as part of the weighted filings statistics. For comparative analysis in this report, the totals for weighted civil and criminal filings for prior years have been revised based on the new case weighting system. The weighted totals for criminal defendants include reopenings and transfers. Data on civil cases arising by reopening, remand, and transfer to the district by order of the Judicial Panel on Multidistrict Litigation are not included among the totals for weighted filings.

## **MEDIAN**

The median time elapsed is defined as the amount of time elapsed for the middle case in a series containing an odd number, or the number midway between the two middle cases in a series containing an even number, if the cases are arrayed from the least to the most time elapsed.

## **MEDIAN TIMES: CRIMINAL FELONY**

For criminal felony defendants, median time intervals are calculated using the period from the date a defendant's case was filed to the date that the defendant either was found guilty or was sentenced.

## **MEDIAN TIMES: CIVIL**

For civil cases, median time intervals are calculated using the period from the date a case was filed to the date of its disposition. Median times from filing to disposition reflect all terminated civil cases, regardless of whether they were disposed of by trial or some other method. Civil median times exclude data for civil cases involving land condemnation, prisoner petitions, deportation reviews, recovery of overpayments, and enforcements of judgments. Because courts can quickly process cases involving the recovery of overpayments (which primarily address veterans' benefits) and enforcements of judgments (which primarily address student loans), including data on these cases would shorten the civil median times for some courts to the point of giving an inaccurate impression of the time usually required to process a case in the federal courts.

## **MEDIAN TIMES: FROM FILING TO TRIAL**

For civil cases, median times from filing to trial are computed using the period from the date a case was filed to the date trial began. For any reopened civil case resulting in a second completed trial, the median time is based on the case's original filing date and the date the trial was completed.

## **CIVIL CASES OVER THREE YEARS OLD**

Data for cases pending three years or more may not match those presented in the Civil Justice Reform Act (CJRA) reports because the profiles presented herein include data for cases on appeal in other courts (i.e., the Supreme Court, courts of appeals, other district courts, and state courts), whereas the CJRA reporting guidelines exclude such data.

## **CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT/OFFENSE**

Prior to 2005, alphabetical codes corresponded to different offenses and natures of suit. Therefore, data for 2005 and thereafter are not comparable to data for earlier years.

## Nature of Suit/Offense Codes

### CIVIL CODES

- A Social Security
- B Personal Injury/Product Liability
- C Prisoner Petitions
- D Forfeitures and Penalties and Tax Suits
- E Real Property
- F Labor Suits
- G Contracts
- H Torts(other than Personal/Injury/Product Liability)
- I Copyright, Patent, and Trademark
- J Civil Rights
- K Antitrust
- L All Other Civil

### CRIMINAL FELONY CODES

- A Marijuana
- B All Other Drugs
- C Immigration
- D Firearms and Explosives
- E Fraud
- F Violent Offenses
- G Sex Offenses
- H Forgery and Counterfeiting
- I Larceny and Theft
- J Justice System Offenses
- K Regulatory Offenses
- L All Other Criminal Felony Cases

# **Exhibit C**

**U.S. DISTRICT COURT - JUDICIAL CASELOAD PROFILE**

		12-MONTH PERIOD ENDING SEPTEMBER 30								
OHIO SOUTHERN		2009	2008	2007	2006	2005	2004	Numerical Standing	U.S. Circuit	
OVERALL CASELOAD STATISTICS	Filings*	3,393	3,330	3,524	3,066	3,223	3,466	54	6	
	Terminations	3,219	3,626	3,340	3,296	3,392	3,177			
	Pending	3,460	3,281	3,560	3,422	3,637	3,788			
	% Change in Total Filings	Over Last Year	1.9					33	4	
ACTIONS PER JUDGESHIP	Number of Judgeships	8	8	8	8	8	8			
	Vacant Judgeship Months**	8.9	.0	.0	7.0	10.0	.2			
	FILINGS	Total	425	416	441	383	403	434	46	
		Civil	334	333	355	297	319	358	40	
MEDIAN TIMES (months)		Criminal Felony	64	54	52	62	60	56	49	
		Supervised Release Hearings**	27	29	34	24	24	20	38	
OTHER	Pending Cases	433	410	445	428	455	474	29		
	Weighted Filings**	466	454	458	437	483	516	40		
	MEDIAN TIMES (months)		Terminations	402	453	418	412	424	397	51
			Trials Completed	21	22	24	20	21	19	41
OTHER	From Filing to Disposition	Criminal Felony	9.5	8.9	8.7	9.0	8.0	7.6	52	
		Civil**	10.6	10.3	10.6	12.6	11.3	12.1	76	
	From Filing to Trial** (Civil Only)		26.0	36.0	28.4	27.0	32.0	26.0	39	
	OTHER	Civil Cases Over 3 Years Old**	Number	187	196	197	240	198	212	
		Average Number of Felony Defendants Filed Per Case	Percentage	6.7	7.2	6.5	8.3	6.4	6.4	
		Jurors	Avg. Present for Jury Selection	1.4	1.5	1.5	1.3	1.6	1.5	
			Percent Not Selected or Challenged	37.8	36.9	42.8	48.6	34.3	33.3	

**2009 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE**

Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	2668	319	69	437	72	32	291	328	179	96	601	9	235
Criminal*	498	18	132	61	98	57	18	47	10	18	6	10	23

\* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

\*\* See "[Explanation of Selected Terms](#)."

<b>2008 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE</b>													
Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	2666	311	51	420	63	177	260	317	145	95	588	5	234
Criminal*	418	14	142	23	67	80	9	25	8	8	8	14	20

<b>2007 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE</b>													
Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	2836	289	64	368	57	388	287	293	152	112	566	4	256
Criminal*	406	14	117	13	77	84	16	18	18	7	4	12	26

\* Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings "By Nature of Offense" do not.

\*\* See ["Explanation of Selected Terms."](#)

**2006 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE**

Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	2374	232	97	295	55	20	291	313	164	114	568	19	206
Criminal*	490	13	125	11	108	102	24	31	21	16	3	8	28

<b>2005 CIVIL AND CRIMINAL FELONY FILINGS BY NATURE OF SUIT AND OFFENSE</b>													
Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	2552	261	119	307	65	27	314	301	161	159	596	19	223
Criminal*	472	12	112	10	115	96	29	20	14	11	12	9	32

<b>2004 CIVIL AND CRIMINAL FELONY FILINGS BY <u>NATURE OF SUIT AND OFFENSE</u></b>													
Type of	TOTAL	A	B	C	D	E	F	G	H	I	J	K	L
Civil	2862	234	28	293	74	36	359	342	255	106	665	15	455
Criminal*	430	13	12	101	3	29	99	**	38	85	2	14	34